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Defining Terrorism: how Ambiguous Definitions and Vague Classifications Open Doors for Power Acquisition

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In this article, I want to reflect on the difficulty of categorising the threat of terrorism within existing security frameworks and our theorising of threat assessment. As more types of terrorism get academic and political attention, various state and non-state actors use terrorist tactics or borrow some elements of terrorism to achieve their agenda. This article discusses the difficulties surrounding terrorist threat classification and how it perplexes our understanding of terrorism and counterterrorism.
What have we learned over more than twenty years of researching terrorism? Terrorism is often conceptualised as both a traditional and non-traditional threat, complicating the execution of counterterrorism strategies. This ambiguity creates the need for a "special treatment" of the terrorist threat in politics proportionate to its importance, and it bears the danger of fostering opportunities for power abuse. This article reflects on different ways of categorising the threat of terrorism, showing that, indeed, terrorism is multifaced, and there is no one-size-fits-all approach to defining and fighting terrorism. However, I also argue that there is a danger of assigning terrorism an extra-legal status and exclusive priority, resulting in power abuse and restrictions of people's rights and freedoms.

Keywords: Terrorism, terrorism definition, securitisation, power acquisition, counterterrorism

The threat of terrorism: definitional problems and ambiguous classifications

The absence of consensus on the definition of terrorism, as well as confusion surrounding classifying terrorism as both a traditional and non-traditional threat, open possibilities for the threat of terrorism being used for alternative political purposes, namely, to gain power and resources. Since creating the Ad Hoc Committee in 1996 by the United Nations, we have seen terrorism changing, acquiring new strategies and techniques while global counterterrorism efforts keep developing, as both practitioners and scholars work on understanding terrorism and perfecting counterterrorism defences. However, there has been no

legally binding definition of terrorism produced by the United Nations, only a draft with an ambiguous explanation of how terrorism could manifest (Schmid, 2018; United Nations General Assembly Sixth Committee, 2018).

In the last ten years, we have seen more media coverage of terrorist attacks, which might have created an impression that the threat of terrorism is on the rise (Ritchie et al., 2020b). However, on the contrary, the number of terrorist attacks has fallen by 43% between 2014 and 2018 (Miller, 2019). The occurrence of most terrorist attacks was regional: According to the Global Terrorism Database (GTD), 95% of deaths from terrorist attacks in 2017 occurred in Africa, the Middle East, or South Asia (Ritchie et al., 2020c). What does it mean for the future of terrorism studies? Undeniably, it is too soon to attribute the decrease in terrorist attacks solely to a better global understanding of terrorism and, consequently, better counterterrorism strategies. The increase of far-right terrorist incidents and white supremacy in the United States of America suggests that a decrease in major international terrorists' attacks (especially against the West) such as 9/11 does not mean a reduction in other types of terrorism (Ritchie et al., 2020a). Terrorism keeps changing and developing in the global South. We could also see an increased number of terrorist attacks in Africa, particularly during the COVID-19 outbreak at the beginning of 2020 (Welle Deutsche, 2020).

Terrorism is an elusive concept, which has provoked much debate starting from how to define terrorism and to what is a terrorist act, who terrorists are, and could different entities (state and non-state) be seen as terrorists. Despite extensive research on terrorism, we are still far from finding common ground on the terrorism definition. Scholars disagree on almost everything regarding terrorism, and as Michael Kronenwetter (2004, p. 4) aptly notes, "one thing we know for sure: terrorism is wrong". Some scholars believe that creating a universal definition of terrorism is inevitable (Ganor, 2002; Hoffman, 1984); others argue that this would be close to impossible to do so (Bruce, 2013; Homolar & A. Rodríguez-Merino, 2019; Martini & Njoku, 2017; Richards, 2012). Some research is focused on the state vs non-state actor's dilemma, arguing that any government-produced definition of terrorism is self-serving; thus, it would be inevitably worded in a way to serve and protect the government (Kronenwetter,

2004; Meisels, 2009). Scholars and practitioners alike continue to research and theorise terrorism, and one of the ways of looking at terrorism is the approach to categorising threats as traditional and non-traditional.

It needs to be said that any categorisation of threats is problematic. Every threat is different, it could appear in various circumstances, and its perceived or real hazard would be ranked differently by diverse actors. Not to mention that threats can occur so quickly, especially in an existing conflict, that security providers would be completely unprepared to deal with them. An example of this is 9/11 which was an unimaginable attack at the time, thus impossible to prepare for in advance (Managhan, 2020). Besides, security threats are often interconnected: for example, terrorism can be linked to illegal revenues from weapons sales and drugs trafficking, as well as organised crime (Jordan, 2019). Thus, any attempt to categorise terrorism and terrorist acts would not produce a universally applicable framework, as proven by the last twenty years of research in terrorism.

The division into traditional and non-traditional threats echoes the realist take on security, focusing on how tangible security threats are: Traditional threats endanger the state in a conventional, somewhat military capacity (Jones & Hameiri, 2021; Swanström, 2010). When traditional security is discussed, it implies that the state is under a threat that can be processed within existing state security frameworks (Zimmerman, 2016). Therefore, the state would manage the danger because it holds the mandate for state security. However, terrorism may not necessarily represent an immediate tangible threat, which creates the basis for seeing terrorism as a non-traditional threat. An urgent, tangible threat when dealing with terrorism might not be present straight away, which adds to the difficulties of categorising terrorism and preparing counterterrorism actions. Terrorism has been labelled in many ways: non-traditional threat, non-traditional security, asymmetrical warfare, hybrid warfare - all pointing to its uniqueness as both political strategy and tactics. The current research on terrorism has been enriched by some scholars exploring terrorism from the constructivist perspective, for example investigating terrorism as communication (Workneh & Haridakis, 2021).

Yet, terrorism, or some of its parts, is not new. Many tactics and strategies that we would call terrorism have been used by partisan formations, insurgencies, freedom fighters, and other groups that opposed authority in the past (Boyle, 2019; Wilson, 2020). An idea of a group fighting a more resourceful opponent is hardly new: modern terrorist strategies have been in use for decades (Jordan, 2019). However, we keep conventionally categorising threats, including the threat of terrorism, into traditional and non-traditional, but perhaps it is time to reconsider this approach.

Terrorism can be (and often is) contemplated as a non-traditional threat because of its transnational nature and the involvement of non-state actors (Zimmerman, 2016). However, terrorism-related violence, economic and political disarray, and casualties that terrorism brings can be comparable to war in its devastating consequences. For example, terrorism is often referred to as asymmetrical or hybrid warfare, which implies that the treat requires more than just a traditional "fight" response from the government to counteract it. One can argue that the conflict in Chechnya is an example of such dual threat categorisation. The war between the Russian government and the Chechens, fighting for independence, has been seen as both traditional (a conventional threat to the state's unity) and non-traditional (terrorist) threat, with minimal to no change of the conflict itself (Kramer, 2005; Marten, 2012; Pokalova, 2015). The Russian state's approach to the war has been changing over the years, but the source of the Chechen peoples' discontent remained largely the same. Unfortunately, the deeper causes of the Chechen conflict have not been addressed by the Russian government, and even if we have seen some de-escalation of violence in Chechnya and North Caucasus, it is impossible to solve the conflict without addressing the root causes that pushed the Chechens to use terrorist tactics (Hedenskog, 2020).

Thus, it can be seen that the same threat can be labelled as both traditional and non-traditional, complicating threat assessment and obscuring means to solve the conflict. Such ambiguity in the terrorist threat classification also adds confusion to who should respond to the threat, blurring the lines of authority and accountability of counterterrorism actors.

Terrorism definitions: the criminalising approach vs the wartime approach

Another difficulty that obfuscates the study of terrorism and influences the categorisation of the terrorist threat is the theorising of terrorism definitions. Most terrorism definitions can be vaguely divided into either the criminalising approach and the wartime approach (Martin & Weinberg, 2014). Under the criminalising approach, a terrorist act is recognised as a crime and prosecuted according to a criminal code (Kovač, 2007). Ideally, this approach should ensure that terrorism is dealt with according to the rule of law, both domestic and international (Kovač, 2007; Saul, 2005). This approach is practiced by many Western countries.Unfortunately, even in societies where such an approach is practised, terrorism-related cases are often treated extralegally. Governments exercise renditions, use black sites for torture, and treat terrorism as a special case crime. The "ends justify the means" approach is somehow more tolerated when dealing with groups that have been labelled as terrorist formations. As Boyle (2019, p. 2) aptly notes, "the definition of who was a "terrorist" was notoriously changeable as the political wind blow". The American pursuit of alleged Al-Qaeda operatives after 9/11 by drone strikes disregarding civilian casualties (casually referred to as collateral damage) can be seen as an example of this attitude (Grossman, 2018). Ultimately, the extralegal processing of terrorism offenses erodes the trust in the legal system being capable of dealing with terrorism offenses according to the rule of law.

The wartime approach to terrorism implies that a terrorist act should be seen as equivalent to a war crime (Banks, 2005). Thus, terrorists and terrorist groups should be considered military formations and treated accordingly (Tauber & Banks, 2017). This approach gives the terrorism issue a special treatment that might appeal to the urgency that many would share. Still, it also allows governments to withdraw information regarding terrorist cases and suspects. Because war crimes belong to the military jurisdiction, the trials of terrorist cases would give the government a legal loophole to make such cases disappear. For example, as Tauber and Banks (2017, p. 806) argue, in the case of the US:

> Although federal courts might assert their authority to defend civil liberties against possible executive abuses of power during wartime, they might opt not to second guess the executive or public opinion because the government has the institutional expertise to manage national security crises and protect public safety.

Therefore, using the wartime approach alone could lead to less transparency and accountability in dealing with terrorism and more opportunities for the abuse of power.

As one might argue, it is almost impossible to find a pure wartime or criminal approach to terrorism being practices in real life. The most practical definitions of terrorism used today are a synthesis between the two approaches, for example, one used by the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (Schmid, 2004, 2005, 2013). Scharf (2004, p. 360) sensibly defines terrorism as "the peacetime equivalent of war crimes", bringing the two approaches together. Under both methods, terrorist acts and the threat of terrorism are dealt with by a particular branch of legislation: a criminal code or the wartime rules. Thus, counterterrorism would be in the jurisdiction of existing law enforcement agencies: the police in the criminalisation approach and the military in the wartime approach. Therefore, the threat of terrorism would be part of the existing traditional security framework provided by the state. So, if we look at the threat of terrorism from the point of view of counterterrorism responsibility, then the state would be the ultimate decision-maker in most cases (Boyle, 2019). This relation reinforces the tight connection between the threat of terrorism and state security, firmly embedding the threat of terrorism in domestic and foreign policies.

However, the concept of terrorism is ever changing. The fluidity of the concept of terrorism can be seen in the myriad definitions of terrorism and how it can change depending on the political situation. This grey area of politics and terrorism studies is aptly described by Alex P. Schmid (2011, p. 2): "As trends in the use of terrorism change, one type of interpretation can become more appropriate than another. Terrorism changes as the instruments of violence and communication change and as contexts evolve". The threat of terrorism has become omnipresent and has been somewhat normalised: references to it can be found in popular culture (Mahon, 2021). The way J.K. Rowling describes Dark

Arts in the Half-Blood Prince, the sixths of Harry Potter books, stunningly resembles Schmid's theorising of terrorism elusiveness:

> The Dark Arts," […] "are many, varied, ever-changing, and eternal. Fighting them is like fighting a many-headed monster, which, each time a neck is severed, sprouts a head even fiercer and cleverer than before. You are fighting that which is unfixed, mutating, indestructible." […] "Your defenses," said Snape, a little louder, "must therefore be as flexible and inventive as the arts you seek to undo (2005, p. 169).

Terrorism scholars and practitioners have not agreed on what terrorism is or how to define it comprehensively (Bruce, 2013; Homolar & A. Rodríguez-Merino, 2019; Martini & Njoku, 2017). Some, as Meisels (2009) argue that the absence of wiliness of the academic community to commit to a definition of terrorism shows the bias and political inclinations of the community. Still, the world has come to understand that terrorism, regardless of the approach we use to define it, can be seen as an ever-changing instrument of violence, flexible and adaptable, and counterterrorism responses should be as well.

Power acquisition and abuse as the result of multi-(and cross-)classification of the terrorism threat

One might argue that the elusiveness of the terrorism concept and its potential to be classified under more than one threat category is the nature of terrorism and should be accepted as such. However, the terrorist threat, when treated as a non-traditional threat and thus falling outside the traditional security institutions, might have more dangerous consequences than just some scholarly disagreement. Such an approach would allow unprecedented power acquisition by political actors. There are various avenues that political actors can exploit the threat of terrorism to gain more power: For example, the securitisation of terrorism or labelling their political opponents as terrorists to silence them (Buzan et al., 1998). When politicians use the threat of terrorism for securitisation purposes, they look at gaining more power and resources in the case of successful securitisation (Bourbeau, 2014; Buzan et al., 1998). The threat of terrorism is treated as something endangering an entity's survival; thus, the threat and following counterterrorist activities are granted special status, the emergency political

measures (Buzan et al., 1998; Workneh & Haridakis, 2021). Hence, assigning the highest priority to the threat of terrorism can potentially help counterterrorism providers and open possibilities of the terrorist threat to be used for political gains.

In addition, the threat of terrorism is connected to other politicised matters such as immigration, refugees, border control and overall people movement, to name a few, that might not be associated with terrorism on their own but could be used to highlight the importance and urgency of the terrorist threat. Any threat has the potential for being securitised, including, for example, the 2020 COVID-19 outbreak, which showed that counterterrorism resources can be easily used for non-terrorism related purposes without incurring more transparency from the state actors (Mahon, 2021). Still, the threat of terrorism is one of the few that can influence the securitisation of other matters, increasing the chances of successful securitisation (Bacon et al., 2013; Huysmans & Buonfino, 2008).

For example, the question of immigration can be securitised by associating immigrants with a (potential) terrorist threat, which would consequently shape the public opinion in the desired direction (d'Appollonia & Reich, 2008; Gattinara & Morales, 2017; Moffette & Vadasaria, 2016). The securitisation of immigration based on the threat of terrorism was demonstrated by the Trump administration introducing the Muslim ban in 2017, which was officially titled Executive Order 13769 Protecting the Nation from Foreign Terrorist Entry into the United States. Another example can be seen in the way the Russian forces have conducted a trial of foreign fighters that had been captured during the Russian invasion of Ukraine. Regardless the existing evidence against it, the British fighters have been accused and convicted on the charges of terrorism, which was clearly used as a label in this case that allows to expedite the trial proceedings and allows for severe sentencing (Roth & Sinmaz, 2022). Thus, one should be wary of assigning the terrorist threat the extralegal status and exclusivity beyond existing security frameworks as it might create opportunities for power abuse (Buonfino, 2004). Therefore, it can be seen how the threat of terrorism can be used by a state in practice to send a message and achieve other political goals than genuine counterterrorism.

Such mistreatment of the threat of terrorism for power acquisition would boomerang at genuine counterterrorism efforts. The level of trust of the public in counterterrorism is affected, as one does not need to be an expert to see political opposition and civil activist being unfairly accused of alleged terrorist activity (Ortner, 2021). For example, new counterterrorism measures in Russia introduced the law that prescribed all civil society organisations to disclose foreign funding and register as "foreign agents". The Kremlin reassured the public that the law aims to increase transparency in financial and civic sectors (Baev, 2006; Ortner, 2021). Still, instead, the law has led to shrinking civil society, the destruction of civil society interconnectedness, and the alienation of actual and potential political opposition (Barkovskaya, 2017; Ortner, 2021; Weiss, 2013). Thus, overutilisation and possible abuse of counterterrorism resources for power-grabbing is a risky political move with many unintended (and undesired) consequences.

Conclusion

This article has reflected on a few aspects of terrorism conceptualisation, namely the definition of terrorism and how the threat of terrorism has been classified as traditional and non-traditional. It has been noted that, despite more than twenty years of research and an extensive body of literature produced on the topics of terrorism definitions, scholars and practitioners have not arrived at a definite conclusion on what is terrorism. This is not to condemn the field as unproductive or lacking cutting edge research but to emphasise the elusive nature of terrorism as ever-changing indiscriminate violence. This article aims to show that we need to keep discussing what terrorism is and what terrorism is not to keep developing our theorising of terrorism and decrease the potential of terrorist threat abuse through political manipulation.

In this article, I discussed the challenging task of defining and classifying terrorism. As can be seen, finding a universal definition of terrorism proves to be an impossible enterprise as terrorism is multifaceted and ever-changing. However, it should not discourage thinkers from analysing and reworking our concepts when discussing terrorism. This article emphasised the danger of classifying

terrorism as both a traditional and non-tradition threat. In doing so, I argued that the possibility of misuse of the terrorist threat is far more significant when it is seen as a non-traditional threat. Nonetheless, this is not to say that confining terrorism to the sphere of traditional threats is safe – it is not. We need to keep working on a definition of terrorism and its place within security studies for the scholarship to reflect the contemporary situation.

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